



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/918,108	07/30/2001	Eric R. Alling	51134	2604

21874 7590 08/10/2004

EDWARDS & ANGELL, LLP
P.O. BOX 55874
BOSTON, MA 02205

EXAMINER

AKERS, GEOFFREY R

ART UNIT	PAPER NUMBER
----------	--------------

3625

DATE MAILED: 08/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

Applicant(s)

Examiner

Art Unit

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 7/12/08
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 3-4, 6, 8, 14-16 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3-4, 6, 8, 14-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other: _____

4B

DETAILED ACTION

Response to Amendment

1. This action is issued in reply to applicant's Request for Continued Examination(RCE) filed 7/12/04.
2. Claims 1,4,16 were amended. Claims 2,5,7,9-11,13 were cancelled. No claims were added.
3. Claims 1,3-4,6,8,12,14-16 as amended, are pending.

Claim Rejections - 35 USC § 103

4. Claims 1,3-4,6,8,12,14-16 as amended are rejected under 35 USC 103(a) as unpatentable over Salvo(US Pat. No: 6.341,271) in view of Johnson(US Pat. No: 5,712,989).

.....
5.(AMENDED) As per claims 1,16 Salvo teaches a method for managing inventory supply in a network(Abstract)(Fig 1) where the method comprises receiving a signal from a sensor device from a buyer system said signal indicating that a minimum level specified for a product used in a manufacturing system has been reached(col 8 line 51-60)(Fig 2). Salvo further teaches querying a local inventory database for a supply availability status(col 3 line 63-col 5 line 10). Salvo also teaches transmitting the demand note to a local inventory system for restocking of the product when the querying of the local inventory database indicates that the requested quantity of the order is locally available(col 3 lines 8-23) as well as querying(113) and vendor inventory system also(col 3 lines 8-10)(col 4 lines 59-67).Salvo also teaches transmitting a purchase order to the vendor inventory system when the vendor system has the

Art Unit: 3625

product(col 3 lines 41-62) as well as transmitting the order to a factory for manufacture of the product if the product is not readily available(col 3 lines 48-51)(col 3 line 65-col 4 line 1). Salvo does not specifically teach wherein the level is set by a business rule as measured by on hand quantity availability of the product. Johnson teaches this(col 27 line 16-col 28 line 24). Johnson further teaches receiving a note from a buyer requesting restocking of the product wherein the demand was created in response to the signal and includes a requested quantity(col 27 line 46). It would have been obvious to one skilled in the art at the time of the invention to combine Salvo in view of Johnson to teach the disclosure. The motivation to combine is to teach a method of managing inventory supply in a network and provide a requisition and inventory management system which can effectively process requisitions for items including, but not limited to immediate inventory replacement as enunciated by Johnson(col 1 line 66-col 2 line 2).

6. As per claims 3, 6 Salvo teaches the method of claim 1 further comprising specifying alerts to critical levels(col 8 lines 51-60). Although Salvo does not specifically teach a maximum level acceptable for said product to control the requested quantity, it would have been obvious to one skilled in the art at the time of the invention to combine Salvo in view of Johnson and to apply these alerts for critical levels to teaching a maximum level acceptable control the requested replenishment quantity to teach the disclosure. The motivation to combine is to teach a method of managing inventory supply in a network and provide a requisition and inventory management system which can effectively process requisitions for items including, but not limited to immediate inventory replacement as enunciated by Johnson(col 1 line 66-col 2 line 2).

Art Unit: 3625

7. As per claim 4 Salvo teaches a storage medium for managing inventory supply in a network environment comprising receiving a signal(col 4 line 59) from a sensor device(108) at a buyer system.

8. As per claim 8 Salvo teaches the system of claim 16 wherein said factory produces said product for use by the buyer system(col 3 lines 48-52).

9. As per claim 12 Salvo teaches according to claim 1. Salvo does not specifically teach facilitating billing activities between the vendor, the buyer and the manufacturing location and the factory. Johnson teaches this(col 19 lines 23-38). It would have been obvious to one skilled in the art at the time of the invention to combine Salvo in view of Johnson to teach the disclosure. The motivation to combine is to teach a method of managing inventory supply in a network and provide a requisition and inventory management system which can effectively process requisitions for items including, but not limited to immediate inventory replacement as enunciated by Johnson(col 1 line 66-col 2 line 2).

10. As per claim 14 Salvo teaches the method of claim 1. Salvo also teaches receiving GPS tracking notification of the location of the requested quantity of the product(col 6 line 28-col 7 line 22). It would have been obvious to one skilled in the art at the time of the invention to combine Salvo in view of Johnson and to apply GPS tracking information to confirm delivery of the product to the manufacturing location and to teach the disclosure. The motivation to combine is to teach a method of managing inventory supply in a network and provide a requisition and inventory management system which

can effectively process requisitions for items including, but not limited to immediate inventory replacement as enunciated by Johnson(col 1 line 66-col 2 line 2).

11. As per claim 15 Salvo teaches the system of claim 1. Salvo also teaches receiving GPS tracking notification of the location of the purchased quantity of the product(col 6 line 28-col 7 line 22). It would have been obvious to one skilled in the art at the time of the invention to combine Salvo in view of Johnson and to apply GPS tracking information to confirm delivery of the purchased product to the manufacturing location and provide notification and to teach the disclosure. The motivation to combine is to teach a method of managing inventory supply in a network and provide a requisition and inventory management system which can effectively process requisitions for items including, but not limited to immediate inventory replacement as enunciated by Johnson(col 1 line 66-col 2 line 2).

Claim Rejections - 35 USC § 101

12. Claims 4 and 6 are amended is rejected under 35 USC 101 for failing to define a concrete, useful and tangible result.

Response to Arguments

13. Applicant's arguments are not persuasive and are addressed in the rejection above.

Conclusion

14. **THIS ACTION IS MADE NON-FINAL.**

15. Any questions concerning this communication should be addressed to the primary examiner of record, Dr. Geoffrey Akers, P.E., who can be reached between 6:30 AM and 5:00 PM Monday through Friday at 703-306-5844. If attempts to contact the primary examiner are unsuccessful, the primary examiner's superior, Mr. Vincent Millin, SPE, may be telephoned at (703)-308-1065.

The fax number for Formal or Official faxes and Draft or Informal faxes to Technology Center 3600 or this Art Unit is (703)-308-3687. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703)-308-1113.

August 8, 2004



DR. GEOFFREY R. AKERS, P.E.
PRIMARY EXAMINER